

MONDAY, APRIL 21, 1997

THIRTY-SECOND LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Representative John DeBerry.

Representative John DeBerry led the House in the Pledge of Allegiance to the Flag.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under **Rule No. 20**:

Representative Huskey; illness

Representative Garrett; business

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 267: Rep(s). Godsey and J. DeBerry as prime sponsor(s).

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House Bill No. 421: Rep(s). Bowers as prime sponsor(s).

House Bill No. 870: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 1247: Rep(s). S. Jones as prime sponsor(s).

House Bill No. 1614: Rep(s). Hood as prime sponsor(s).

House Bill No. 1617: Rep(s). McDaniel and Boyer as prime sponsor(s).

House Bill No. 1674: Rep(s). Bowers as prime sponsor(s).

MESSAGE FROM THE SENATE

April 21, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 198; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Joint Resolution No. 198 -- Memorials, Retirement - Julia Boyd, by *Burks.

MESSAGE FROM THE SENATE

April 21, 1997

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1978; all passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 1978 -- Johnson County - Subject to local approval, establishes minimum standards and development requirements for earth products and excavation in unincorporated areas. by *Crowe.

MESSAGE FROM THE SENATE

April 21, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 1280; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 57; substituted for Senate Bill(s) on the same subject(s), amended, and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

RESOLUTIONS

Pursuant to **Rule No. 17**, the following resolution(s) was/were introduced and placed on the Consent Calendar for April 23, 1997:

House Joint Resolution No. 203 -- Memorials, Personal Achievement - 1997 Beautillion Militaire. by *Turner (Shelby).

House Joint Resolution No. 204 -- Memorials, Professional Achievement - Roger Crouch, NASA scientist. by *Newton.

House Joint Resolution No. 205 -- Memorials, Congratulations - Gallatin High School Class of 1957 40th Reunion. by *McDonald, *Stamps.

House Joint Resolution No. 206 -- Memorials, Sports - 1996-1997 Bradford High School girls' basketball team, TSSAA Class A state champions. by *Phelan, *Pinion.

House Joint Resolution No. 208 -- Memorials, Professional Achievement - Wisdom Franchot Coleman, Jr., D.D.S., M.P.H.A., appointment as Associate Professor and Director of Admissions, University of Tennessee, Memphis, College of Dentistry. by *DeBerry L, *Bowers, *DeBerry J, *Chumney, *Turner (Shelby).

INTRODUCTION OF BILLS

On motion, the following bills were introduced and passed first consideration:

House Bill No. 1979 -- Cheatham County - Subject to local approval, authorizes tax on new industrial development. by *Williams (Williamson).

House Bill No. 1980 -- Cheatham County - Subject to local approval, authorizes privilege tax on new residential development. by *Williams (Williamson).

House Bill No. 1981 -- Cheatham County - Subject to local approval, authorizes tax on new commercial development. by *Williams (Williamson).

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

***Senate Bill No. 734** -- Telecommunications - Authorizes treble damages for failure to execute separate contracts for sale or lease of cellular phone or wireless phone capable of transmitting or receiving telephonic, electronic or radio communications more than 100 feet from its home base and sale or lease of such phone service. Amends TCA Title 47, Chapter 18. by *Kyle. (HB1353)

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Senate Bill No. 777 -- Education - Deletes requirement that any person other than parent or guardian having custody or control of school age children shall cause such children to be enrolled in school. Amends TCA Title 49, Chapter 6. by *Burks. (*HB475)

***Senate Bill No. 921** -- Local Education Agency - Permits local, county or municipal school district existing on January 1, 1994, to become special school district by 2/3 school board vote and appropriate private act; authorizes county, municipal or special school district existing on January 1, 1994, to merge into single special school district. Amends TCA Section 49-2-501. by *Miller J, *Leatherwood. (HB1536)

Senate Bill No. 965 -- Insurance, Motor Vehicles - Prohibits cancellation or annulment of motor vehicle insurance policy absent binding finding of fault on part of insured. Amends TCA Section 55-12-122. by *Ford J. (*HB507)

***Senate Bill No. 1183** -- Sunset Laws - Adds human and community service delivery agencies to sunset provisions; such agencies to sunset June 30, 2000. Amends TCA Title 4, Chapter 29; Title 13, Chapter 26 and Title 71, Chapter 5. by *Henry. (HB1310)

***Senate Bill No. 1330** -- Education, Higher - Authorizes board of trustees of baccalaureate education system trust fund program to delegate day to day operating responsibilities to state treasurer; allows program participants to retain or transfer tuition units. Amends TCA Title 49, Chapter 7, Part 8. by *Haynes. (HB1549)

***Senate Bill No. 1609** -- Labor, Dept. of - Adds provision of input relative to program evaluation as additional advisory responsibility of executive steering committee of institute for labor studies Amends TCA Title 4, Chapter 32. by *Crutchfield. (HB1569)

HOUSE BILLS ON SECOND CONSIDERATION

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

***House Bill No. 1945** -- Utilities, Utility Districts -- House Commerce Committee

***House Bill No. 1961** -- Utilities, Utility Districts -- House Commerce Committee

House Bill No. 1964 -- Food and Food Products -- House Health & Human Resources Committee

House Bill No. 1978 -- Humboldt -- Local Bill Held on House Desk

CONSENT CALENDAR

***House Bill No. 244** -- General Assembly - Establishes toll-free telephone service to general assembly for deaf persons. Amends TCA Title 3, Chapter 1, Part 1. by *West. (SB480 by *Haynes)

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***House Bill No. 421** -- Medical Occupations - Authorizes committee on physician assistants and committee on orthopedic physician assistants to waive continuing education requirements; increases per diem of committee members from \$50.00 to \$100; changes "certification" to "licensure"; authorizes committee to impose investigative costs on licensee. Amends TCA Title 63, Chapter 19. by *Jones, S.. (SB558 by *Womack)

House Bill No. 810 -- Administrative Procedure - Makes complainant liable for attorney fees and costs in ouster suit if complaint or petition is withdrawn or found to be without merit. Amends TCA Section 8-47-122. by *Beavers, *Eckles, *Hood, *Head. (*SB1052 by *Womack)

House Bill No. 870 -- Highway Signs - "Music Highway," I-40, Davidson County to Mississippi. by *Kisber, *Langster. (*SB122 by *Cohen, *Carter)

On motion, House Bill No. 870 was made to conform with **Senate Bill No. 122**; the Senate Bill was substituted for the House Bill.

House Bill No. 1165 -- Regional Authorities - Removes requirement that port authority board of commissioners be residents of municipality. Amends TCA Section 7-87-105. by *Chumney. (*SB602 by *Kyle)

***House Bill No. 1258** -- Education - Sets November 1, 1996, instead of July 1, 1996, as new effective date for application of teacher effects testing data to Sander's model annual estimates on student progress in Grades 3 -- 8. Amends TCA Section 49-1-606. by *Davis R, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Boyer, *Ford S, *Wood, *Patton, *Kerr, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Sargent, *Newton, *Scroggs, *Godsey, *Walker, *McAfee, *Mumpower, *Roach. (SB1665 by *Leatherwood, *Elsea, *McNally, *Atchley, *Person, *Gilbert, *Jordan, *Koella, *Haun, *Carter, *Ramsey, *Miller J, *Fowler)

On motion, House Bill No. 1258 was made to conform with **Senate Bill No. 1665**; the Senate Bill was substituted for the House Bill.

House Bill No. 1459 -- Taxes, Real Property - Permits Shelby County board of equalization to maintain property records in the office of the board in the same manner as records are required to be maintained in office of assessor or property in other counties. Amends TCA Section 67-5-1414. by *Jones U (Shelby), *Kent, *Turner (Shelby). (*SB660 by *Ford J)

House Bill No. 1534 -- County Officers - Lists persons who may administer oath to elected or appointed officials; permits official to take oath of office after certification of results or following appointment but before term officially begins. Amends TCA Title 8, Chapter 18. by *Bone. (*SB280 by *Haun)

On motion, House Bill No. 1534 was made to conform with **Senate Bill No. 280**; the Senate Bill was substituted for the House Bill.

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House Bill No. 1703 -- Hospitals and Health Care Facilities - Allows immediate destruction of original hospital records once reproduced on microfilm, microfiche, or similar permanent imaging. Amends TCA Title 68, Chapter 11. by *Eckles. (*SB1001 by *Fowler)

House Bill No. 1737 -- Architects and Engineers - Exempts from sales tax models created by architects, engineers, landscape architects and interior designers used in development of prototype. Amends TCA Title 67, Chapter 6, Part 3. by *Garrett. (*SB1720 by *Crowe, *Gilbert)

On motion, House Bill No. 1737 was made to conform with **Senate Bill No. 1720**; the Senate Bill was substituted for the House Bill.

House Bill No. 1835 -- Tennessee Wildlife Resources Agency - Expands director's authority on types of purchasable lands; allows use of 1986 wetlands acquisition fund in purchasing Scott's Gulf; mandates fund's use in certain reimbursements of cities and counties. Amends TCA Sections 11-14-401; 11-14-406 and 67-4-409(g). by *Cross, *Bittle, *Rhinehart. (*SB1823 by *Gilbert)

House Bill No. 1863 -- Highway Signs - "K. Thomas Hutchinson Water Treatment Plant," Sulphur Springs Road exit, I-840, Rutherford County. by *Eckles, *Hood, *Beavers. (*SB1762 by *Womack)

On motion, House Bill No. 1863 was made to conform with **Senate Bill No. 1762**; the Senate Bill was substituted for the House Bill.

House Bill No. 1902 -- Massage - Corrects typographical error in definition of "Massage/bodywork/somatic" contained in Chapter 480 of the Public Acts of 1995. Amends TCA Section 63-18-202(3). by *Chumney. (*SB603 by *Henry)

On motion, House Bill No. 1902 was made to conform with **Senate Bill No.603**; the Senate Bill was substituted for the House Bill.

House Bill No. 1969 -- Sullivan County - Subject to local approval, creates additional general sessions court judge position. Amends Chapter 349 of the Private Acts of 1947, as amended. by *Westmoreland. (SB1980 by *Ramsey)

House Bill No. 1970 -- Sullivan County - Subject to local approval, amends charter relative to jurisdiction of general sessions court and election of general sessions court judges. Amends Chapter 349 of the Private Acts of 1947, as amended. by *Westmoreland. (SB1981 by *Ramsey)

House Bill No. 1971 -- Harriman - Revises charter. Amends Chapter 49 of the Acts of 1891, as amended. by *Ferguson. (SB1976 by *Davis L)

House Bill No. 1972 -- Washington County - Subject to local approval, authorizes county commission to elect superintendent of highways in accordance with general law. by *Patton. (SB1977 by *Crowe)

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House Bill No. 1974 -- Sequatchie County - Subject to local approval, repeals juvenile court, transfers jurisdiction to general sessions court - Repeals Chapter 297, Private Acts of 1982, as amended. by *Rhinehart. (SB1982 by *Elsea)

House Bill No. 1975 -- Johnson County - Subject to local approval, establishes minimum standards and development requirements for earth products and excavation in unincorporated areas. by *Mumpower. (SB1978 by *Crowe)

On motion, House Bill No. 1975 was made to conform with **Senate Bill No. 1978**; the Senate Bill was substituted for the House Bill.

House Bill No. 1976 -- Johnson County - Subject to local approval, provides for location and development of planned mobile home parks. by *Mumpower. (SB1985 by *Crowe)

***House Joint Resolution No. 115** -- Highway Signs - "Leroy Shults Memorial Bridge," Cosby Creek, S.R. 32. by *Davis R.

***House Joint Resolution No. 131** -- Highway Signs - "Lindahl Parkway," S.R. 12, Cheatham and Davidson counties. by *Williams (Williamson), *Davidson, *Head.

House Joint Resolution No. 195 -- Memorials, Retirement - Nate Street. by *Fowlkes.

House Joint Resolution No. 197 -- Memorials, Personal Occasion - William K. (Bill) and Josephine Brobeck, 50th wedding anniversary. by *Patton, *Hicks.

House Joint Resolution No. 198 -- Memorials, Death - Clark Porteous. by *Haley, *Scroggs, *Pleasant.

House Joint Resolution No. 200 -- Memorials, Sports - 1996-1997 Celina High School girls' basketball team, TSSAA Class A state runner-up. by *Winningham.

House Joint Resolution No. 201 -- Memorials, Retirement - James Arthur Pry. by *Sands, *White.

House Joint Resolution No. 202 -- Memorials, Sports - Aaron Ausmus, University of Tennessee track and field star. by *Goins, *Cross.

Senate Joint Resolution No. 170 -- Memorials, Professional Achievement - Carthage Bestway. by *Rochelle, *Wilder.

Senate Joint Resolution No. 171 -- Memorials, Recognition and Thanks - Mu Tau Chapter, Phi Gamma Delta Fraternity. by *Person.

Senate Joint Resolution No. 173 -- Memorials, Death - John Joseph "Giovanni" Cerrito. by *Cohen, *Leatherwood, *Person.

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Senate Joint Resolution No. 174 -- Memorials, Public Service - William Sharpe. by *Crowe.

Senate Joint Resolution No. 176 -- Memorials, Death - Bill Duncan. by *Rochelle.

Senate Joint Resolution No. 177 -- Memorials, Academic Achievement - Kevin Pulley, Salutatorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 178 -- Memorials, Academic Achievement - Ann Dunn, Valedictorian, Watertown High School. by *Rochelle.

Senate Joint Resolution No. 180 -- Memorials, Death - Archie Wilson Womack. by *Cooper.

Senate Joint Resolution No. 181 -- Memorials, Professional Achievement - Dr. John Hodge Jones, runner-up, national Superintendent of the Year, American Association of School Administrators. by *Womack.

Senate Joint Resolution No. 184 -- Memorials, Professional Achievement - Tennessee Archivists, 20th anniversary. by *Crowe.

Senate Joint Resolution No. 185 -- Memorials, Personal Occasion - Mr. and Mrs. Richard Robinson, 70th anniversary. by *Rochelle.

Senate Joint Resolution No. 186 -- Memorials, Academic Achievement - Meshan Johnson, 1997 Valedictorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 187 -- Memorials, Academic Achievement - Nancye Leanne Wrather, Salutatorian, Lebanon High School. by *Rochelle.

Senate Joint Resolution No. 190 -- Memorials, Personal Occasion - Julianna Dickenson, birth. by *Leatherwood.

OBJECTION -- CONSENT CALENDAR

Objection(s) was/were filed to the following on the Consent Calendar:

House Bill No. 1459: by Rep. Kent

Under the rules, House Bill No: 1459 was/were placed at the foot of the calendar for April 23, 1997.

Pursuant to **Rule No. 50**, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winingham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

REGULAR CALENDAR

House Bill No. 950 -- Motor Vehicle Commission - Increases from four to six consumer members of motor vehicle commission. Amends TCA Title 55, Chapter 17, by *Phelan. (*SB559 by *Koella)

On motion, House Bill No. 950 was made to conform with **Senate Bill No. 559**; the Senate Bill was substituted for the House Bill.

Rep. Phelan moved the Senate Bill No. 559 be passed on third and final consideration.

Rep. Phelan moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 559 by deleting Sections 1 and 2 of the printed bill in their entirety, by substituting instead the following, and by designating the subsequent section accordingly:

SECTION 1. Tennessee Code Annotated, Section 55-17-103(a), is amended by deleting the punctuation "." at the end of the third sentence of the subsection and by adding the words:

however, if such manufacturers fail to submit a list of qualified persons within one hundred eighty (180) days of the effective date of this act or within one hundred eighty (180) days of any vacancy, the governor may appoint a consumer member to fill each vacancy to serve the full term of such manufacturer member.

SECTION 2. Tennessee Code Annotated, Section 55-17-104(b)(2), is amended by deleting the subdivision in its entirety.

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SECTION 3. Tennessee Code Annotated, Section 55-17-104(a), is amended by inserting the word and punctuation ", manufacturer" between the word "chair" and the word "and".

On motion, Amendment No. 1 was adopted.

Rep. Phelan moved that **Senate Bill No. 559**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

House Bill No. 1614 -- District Attorneys - Increases compensation for criminal investigators for district attorneys general. Amends TCA Section 8-7-201. by *Hargrove. (*SB1565 by *Crutchfield)

Rep. Hargrove moved that House Bill No(s). 1614 be reset for the Regular Calendar on Wednesday, April 23, 1997, which motion prevailed.

House Bill No. 1617 -- Sentencing - Prohibits appellate reversal of death, or life without parole, sentence based on trial court's failure to instruct jury on mitigating factor not specifically established by general assembly if overrules some specific care. Amends TCA Section 39-13-204. by *Hargrove. (*SB1471 by *Haynes)

On motion, House Bill No. 1617 was made to conform with **Senate Bill No. 1471**; the Senate Bill was substituted for the House Bill.

Rep. Hargrove moved that Senate Bill No. 1471 be passed on third and final consideration.

Rep. Newton moved the previous question, which motion prevailed.

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Rep. Hargrove moved that **Senate Bill No. 1471** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	94
Noes	1
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

Representatives voting no were: Turner (Shelby) -- 1.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

CHAIR TO DEBERRY

Mr. Speaker Naifeh relinquished the Chair to Rep. DeBerry, Speaker pro tempore.

REGULAR CALENDAR, CONTINUED

House Bill No. 1674 -- Landlord and Tenant - Permits service of process in forcible entry and detainer actions to be accomplished by posting copy of summons on door of premises, mailing copy of same to defendant's last known address and making entry of such action on face of warrant, if defendant cannot be personally served, or if no person is residing at premises at time of attempted service Amends TCA Title 29, Chapter 18. by *Haley. (*SB1735 by *Jordan)

Rep. Haley moved that House Bill No. 1674 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1674 by deleting Section 1 of the printed bill in its entirety and by substituting instead the following language:

SECTION 1. Tennessee Code Annotated, Section 29-18-115, is amended by adding the following language as a new, appropriately designated subsection:

(1) In addition to the methods set out in this section, service of process for an action commenced under this chapter shall be good and sufficient to enable the landlord to regain possession of his property if the sheriff of the county in which the action is brought, or such sheriff's deputy, personally serves a copy of the warrant or summons upon any named defendant who has a contractual or possessory property right in the subject premises.

(2) If the sheriff is unable to serve any such named defendant personally, or if after three (3) attempts of personal service of process during a ten (10) day period with such attempts being documented on the face of the warrant, no such person is found in possession of the premises, service of process for determining the right of possession of the subject premises as to all who may have a contractual or possessory property right therein may be had by the sheriff of the county, or such sheriff's deputy, taking the following actions at least ten (10) days prior to the date specified therein for the defendant(s) to appear and make a defense: (i) posting a copy of the warrant or summons on the door of the premises, and (ii) sending by United States Postal Service first class mail with certificate of mailing a copy of the warrant or summons to the so named defendant(s) at the last known address, if any, and (iii) making an entry of this action on the face of the warrant or summons filed in the case. The method of service of process provided for in this subdivision shall be used only after the defendant who has a contractual or possessory property right in the subject premises is more than ten (10) days past due on rental installment payments or has held over after expiration of proper notice of termination of tenancy for more than ten (10) days. The provisions of this subdivision shall apply only to the service of process in an action brought to regain possession of real property, and shall not apply to the service of process in any action seeking monetary judgment.

On motion, Amendment No. 1 was adopted.

Rep. Haley moved that **House Bill No. 1674**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes..... 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley,

Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 1247** -- Unemployment Compensation - Effective July 6, 1997, allows person receiving unemployment compensation to earn the greater of \$30.00 or 25 percent of weekly benefit amount instead of limiting earnings to \$30.00 a week before weekly benefits reduced. Amends TCA Section 50-7-301(c)(1). by *Davis R, *Haley, *Hargett, *Pleasant, *McDaniel, *Stamps, *Walley, *Ford S, *Wood, *Patton, *Kerr, *Beavers, *Kent, *Bird, *Clabough, *McKee, *Sargent, *Newton, *Scroggs, *Godsey, *Goins, *Walker, *McAfee, *Mumpower, *Roach, *Boyer. (SB1668 by *McNally, *Elsea, *Atchley, *Person, *Gilbert, *Jordan, *Koella, *Haun, *Carter, *Ramsey, *Leatherwood, *Miller J, *Fowler, *Cooper, *Crutchfield, *Dixon, *Graves, *Crowe, *Burks)

On motion, House Bill No. 1247 was made to conform with **Senate Bill No. 1668**; the Senate Bill was substituted for the House Bill.

Rep. Davis moved that Senate Bill No. 1668, be passed on third and final consideration.

On motion, Rep. West withdrew Consumer & Employee Affairs Committee Amendment No. 1.

Rep. Davis moved that **Senate Bill No. 1668** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes..... 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

MONDAY, APRIL 21, 1997 -- THIRTY-SECOND LEGISLATIVE DAY

House Bill No. 1514 -- Pensions and Retirement Benefits - Establishes schedule of premium payment percentages for retirees participating in state employee group insurance plan. Amends TCA Title 8, Chapter 27, Part 2. by *Head, *Cross, *Newton, *Westmoreland, *Walley, *Windle, *Ridgeway, *Miller L. (*SB1077 by *Haynes, *McNally)

On motion, House Bill No. 1514 as made to conform with **Senate Bill No. 1077**; the Senate Bill was substituted for the House Bill.

Rep. Head moved that Senate Bill No. 1077, be passed on third and final consideration.

Rep. Kisber moved adoption of Finance, Ways and Means Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 1514 by deleting from the first sentence of the amendatory language of Section 1 of the printed bill, the words and punctuation "From the appropriation made in the general appropriations act each year for that purpose, the" and substituting in lieu thereof "The".

AND FURTHER AMEND by deleting Section 2 of the printed bill in its entirety and renumbering the subsequent section accordingly.

On motion, Amendment No. 1 was adopted.

Rep. Head moved that **Senate Bill No. 1077**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 96
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odum, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

A motion to reconsider was tabled.

***House Bill No. 267** -- Sexual Offenses - Creates Class C felony offense of sexual battery by authority which is unlawful sexual contact with child 13-18 by person with supervisory or disciplinary power over victim and use of power to accomplish the contact Amends TCA Title 39, Chapter 13, Part 5. by *Curtiss. (SB198 by *Cooper)

CHAIR TO SPEAKER

Mr. Speaker Naifeh resumed the Chair.

REGULAR CALENDAR, CONTINUED

Rep. Curtiss moved that **House Bill No. 267** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes 97
Noes 0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

***House Bill No. 298** -- Driver Licenses - Increases from six to nine months period person whose driver license has been revoked for the first time must wait before applying for new license Amends TCA Title 40, Chapter 33 and Title 55, Chapter 50. by *Curtiss. (SB288 by *Cooper)

Rep. Curtiss moved that House Bill No. 298 be passed on third and final consideration.

Rep. Buck moved adoption of Judiciary Committee Amendment No. 1 as follows:

Amendment No. 1

AMEND House Bill No. 298 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 55-50-102, is amended by deleting subpart (50) in its entirety and substituting instead the following:

(50) "Violation" means a conviction except as otherwise provided in Tennessee Code Annotated, Section 55-50-504(h).

SECTION 2. Tennessee Code Annotated, Section 55-50-504, is amended by deleting the existing language of subsection (h) and by substituting instead the following:

(h)

(1) The vehicle used in the commission of a person's violation of § 55-50-504, when the original suspension or revocation was made for a violation of § 55-10-401, or a statute in another state prohibiting driving under the influence of an intoxicant, is subject to seizure and forfeiture in accordance with the procedure established in title 40, chapter 33, part 2. The department of safety is designated as the applicable agency, as defined by § 40-33-202, for all forfeitures authorized by this subsection.

(2) For purposes of clarifying the provisions of this subsection and consistent with the overall remedial purpose of the asset forfeiture procedure, a vehicle is subject to seizure and forfeiture upon the arrest or citation of a person for driving while such person's driving privileges are cancelled, suspended or revoked. A conviction for the criminal offense of driving while such person's driving privileges are cancelled, suspended or revoked is not required.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Curtiss moved that **House Bill No. 298**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	85
Noes	6
Present and not voting	3

Representatives voting aye were: Arriola, Beavers, Bird, Bittle, Bone, Boner, Boyer, Brooks, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cross, Curtiss, Davidson, Davis, DeBerry J., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Hicks, Hood, Jackson, Jones S., Kent, Kerr, Kisber, Langster, Lewis, Maddox, McAfee,

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McDaniel, McDonald, McKee, McMillan, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Turner (Hamilton), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 85.

Representatives voting no were: Armstrong, Bowers, Cooper, Miller, Towns, Turner (Shelby) -- 6.

Representatives present and not voting were: Brown, Jones U., Kernell -- 3.

A motion to reconsider was tabled.

House Bill No. 1750 -- Workers' Compensation - Excludes asbestos-related diseases from 30 day notice to employer of contraction of disease requirement. Amends TCA Title 50, Chapter 6. by *Sharp. (*SB1740 by *Crutchfield)

Rep. Sharp moved that **House Bill No. 1750** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	94
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jones S., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

House Bill No. 771 -- Industrial Development - Revises Tennessee BIDCO Act. Amends TCA Title 45, Chapter 8, Part 2. by *Jackson. (*SB605 by *Henry)

On motion, House Bill No. 771 was made to conform with **Senate Bill No. 605**; the Senate Bill was substituted for the House Bill.

Rep. Jackson moved that Senate Bill No. 605, be passed on third and final consideration.

On motion, Rep. Rhinehart withdrew Commerce Committee Amendment No. 1.

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Rep. Jackson moved that **Senate Bill No. 605** be passed on third and final consideration, which motion prevailed by the following vote:

Ayes.....	96
Noes	0
Present and not voting.....	1

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 96.

Representatives present and not voting were: Brooks -- 1.

A motion to reconsider was tabled.

MESSAGE CALENDAR

MOTION TO RECONSIDER

Rep. Rhinehart moved to lift from the table the motion to reconsider Senate Bill No. 1766, which motion prevailed.

***Senate Bill No. 1766** -- Sports - Prohibits amateur boxing unless amateur is registered with USABF or comparable recognized organization; permits amateur contests also if no prize received by contestant. Amends TCA Title 68, Chapter 115. by *Cooper. (HB1655 by *Rhinehart, *Curtiss)

Rep. Rhinehart moved to reconsider action in passing Senate Bill No. 1766, which motion prevailed.

Rep. Rhinehart moved that Senate Bill No. 1766 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Amendment No. 1 as follows:

Amendment No. 1

AMEND Senate Bill No. 1766 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 68-115-101, is amended by deleting the section in its entirety and by substituting instead the following:

Except as provided below, an amateur may not take part in a boxing contest unless such amateur is registered with the United States Amateur Boxing Federation or some other amateur organization recognized by the commissioner. The promoting, conducting, or maintaining of boxing marches, contests, or exhibitions when conducted by educational institutions, law enforcement organizations Tennessee National Guard Units, or amateur athletic organizations duly recognized by the commissioner are exempt from the licensing and bonding provisions of this chapter if none of the participants in such contest or exhibitions receives a money remuneration, purse, or prize for performance or service therein.

This section shall not apply to amateur boxers or sponsors of amateur boxing matches where the sponsor is a not-for-profit corporation or an extracurricular organization recognized by a college or university, such as a fraternity, sorority or student union, and the primary beneficiary of the proceeds of the boxing match is a 501(c)(3) charitable organization.

SECTION 2. Tennessee Code Annotated, Section 68-115-102 is amended by deleting the words "the club" and by substituting instead, the words "any organization", and by deleting the word "exhibition" wherever it appears, and by substituting instead, the words "boxing contest".

SECTION 3. Tennessee Code Annotated, Section 68-115-103 is amended by deleting the word "club" and by substituting instead, the word "organization" and by deleting the word "exhibition" and by substituting instead the words "boxing contest".

SECTION 4. This act shall take effect upon becoming law, the public welfare requiring it.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved that **Senate Bill No. 1766**, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes	97
Noes	0

Representatives voting aye were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones

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U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

A motion to reconsider was tabled.

HOUSE ACTION ON SENATE AMENDMENTS

***House Bill No. 276** -- Hospitals and Health Care Facilities - Requires board for licensing health care facilities to assess in writing fiscal impact of changes in nursing home standards. Comptroller shall deem such costs to be reasonable for rate setting purposes. Amends TCA Section 68-11-209. by *Rhinehart. (SB270 by *Rochelle)

Rep. Rhinehart moved that House Bill No(s). 276 be reset for the Message Calendar on Wednesday, April 23, 1997, which motion prevailed.

HOUSE ACTION ON SENATE AMENDMENTS

***Senate Bill No. 253** -- Taxes, Real Property - Permits county trustee in each county to accept partial payment of property taxes. Amends TCA Section 67-5-1801(e). by *Henry, *Dixon, *Rochelle. (HB340 by *Head, *Bone, *White)

Rep. Head moved that Senate Bill No(s). 253 be reset for the Message Calendar on Wednesday, April 30, 1997, which motion prevailed.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Hargrove moved that the rules be suspended for the immediate consideration of Senate Joint Resolution No. 198 out of order, which motion prevailed.

Senate Joint Resolution No. 198 -- Memorials, Retirement - Julia Boyd. by *Burks.

On motion, the rules were suspended for the immediate concurrence in the resolution.

On motion of Rep. Hargrove, the resolution was concurred in.

A motion to reconsider was tabled.

NOTICE TO ACT ON SENATE MESSAGES

Pursuant Rule No. 59, notice was given that the following measure(s) from the Senate would be considered on April 23, 1997:

House Bill No. 1280: by Rep. Stulce

House Bill No. 57: by Rep. Rhinehart

SPONSORS ADDED

Under **Rule No. 43**, the following members were permitted to add their names as sponsors as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 727: Rep(s). Chumney as prime sponsor(s).

House Bill No. 1109: Rep(s). Newton as prime sponsor(s).

House Bill No. 1401: Rep(s). Cross as prime sponsor(s).

House Bill No. 1660: Rep(s). Hood as prime sponsor(s).

ENROLLED BILLS

April 21, 1997

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 1960, 1962, 1963 and 1966; also, House Joint Resolution(s) No(s). 183 and 185.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 21, 1997

The Speaker signed the following: House Bill(s) No(s). 1960, 1962, 1963 and 1966; House Joint Resolution(s) No(s). 183 and 185.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

April 21, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 72 and 101; both concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1997

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 30 and 1030; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

April 21, 1997

MR. SPEAKER: I am directed to return to the House, House Joint Resolution(s) No(s). 73; concurred in by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

ENGROSSED BILLS

April 21, 1997

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 244, 267, 298, 421, 810, 1165, 1674, 1703, 1750, 1835, 1969, 1970, 1971, 1972, 1974 and 1976, also, House Joint Resolution(s) No(s). 115, 131, 195, 197, 198, 200, 201 and 202.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ENROLLED BILLS

April 21, 1997

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Joint Resolution(s) No(s). 72, 73 and 101.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

SIGNED

April 21, 1997

The Speaker signed the following: House Joint Resolution(s) No(s). 72, 73 and 101

BETTY KAY FRANCIS, Chief Engrossing Clerk.

ROLL CALL

The roll call was taken with the following results:

Present 97

Representatives present were: Armstrong, Arriola, Beavers, Bird, Bittle, Bone, Boner, Bowers, Boyer, Brooks, Brown, Buck, Burchett, Caldwell, Chumney, Clabough, Cole (Carter), Cole (Dyer), Cooper, Cross, Curtiss, Davidson, Davis, DeBerry J., DeBerry L., Dunn, Eckles, Ferguson, Fitzhugh, Ford, Fowlkes, Fraley, Givens, Godsey, Goins, Gunnels, Haley, Halteman-Harwell, Hargett, Hargrove, Hassell, Head, Hicks, Hood, Jackson, Jones S., Jones U., Kent, Kernell, Kerr, Kisber, Langster, Lewis, Maddox, McAfee, McDaniel, McDonald, McKee, McMillan, Miller, Mumpower, Newton, Odom, Patton, Phelan, Phillips, Pinion, Pleasant, Pruitt, Rhinehart, Ridgeway, Rinks, Ritchie, Roach, Robinson, Sands, Sargent, Scroggs, Sharp, Stamps, Stulce, Tidwell, Tindell, Towns, Turner (Hamilton), Turner (Shelby), Walker, Walley, West, Westmoreland, White, Whitson, Williams, Windle, Winningham, Wood, Mr. Speaker Naifeh -- 97.

RECESS MOTION

On motion of Rep. Hargrove, the House recessed until 2:00 p.m., Wednesday, April 23, 1997.